

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TIMOTHY DAVIS

CIVIL ACTION

v.

DAVID DIGUGLIELMO, et. al.

NO. 08-4929

ORDER

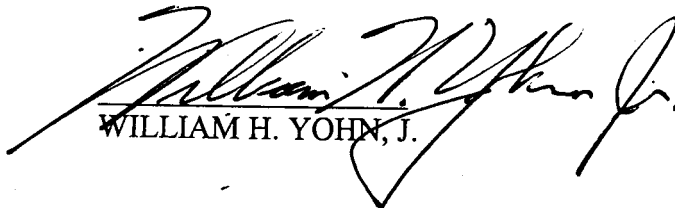
WILLIAM H. YOHN, J.

AND NOW, this 6 day of May, 2009, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of the United States Magistrate Judge Jacob P. Hart, it is

ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for writ of habeas corpus is DENIED.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

  
WILLIAM H. YOHN, J.

*filed 3/24/09  
and no  
objection  
having been  
filed by  
appellee,*